

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 09-1261

Hany Fahmy Basily,

Petitioner,

v.

Eric H. Holder, Jr., Attorney General
of the United States,

Respondent.

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* Petition for Review of
* an Order of the Board
* of Immigration Appeals.
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* [UNPUBLISHED]
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Submitted: December 16, 2009

Filed: December 16, 2009

Before WOLLMAN, RILEY, and SMITH, Circuit Judges.

PER CURIAM.

Egyptian citizen Hany Fahmy Basily petitions for review of an order of the Board of Immigration Appeals (BIA) which denied his June 2008 motion to reopen, reconsider, and remand. After careful review, we conclude that the BIA acted within its discretion, see Vargas v. Holder, 567 F.3d 387, 391 (8th Cir. 2009); Miah v. Mukasey, 519 F.3d 784, 789-90 (8th Cir. 2008), and that the alleged due process violation did not affect the outcome of the proceedings, see Banat v. Holder, 557 F.3d 886, 893 (8th Cir. 2009). Accordingly, we deny the petition.
